



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 45
Comm #: 53094-7617-09
BRRTS #: 03-28-000593
Site Name: Midas Muffler Shop
Site Address: 103 N Church St, Watertown, 53094

Site Manager: Martin Nessman
Address: 3911 Fish Hatchery Road
City, State Zip: Madison, WI 53711
Phone: (608) 275-3220
e-mail: Martin.Nessman@Wisconsin.Gov

Bid Manager: Linda M. Michalets
Address: 101 West Pleasant Street, Suite 100A
City, State Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5376
e-mail: Linda.Michalets@Wisconsin.Gov

Bid-Start Date:	September 18, 2006
Questions must be received by (See Section 2 (B)):	October 02, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	October 20, 2006
Bid-End Date and Time:	November 03, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The site is a former retail petroleum outlet that operated between approximately 1930 and 1986. At least seven USTs are believed to have been previously located at the site. A site investigation was begun in 1990. The stratigraphy across the investigated area consists of approximately 2 to 6 feet of clayey, silty, sandy, gravelly fill, underlain by silty sandy sediments, with intermittent clayey and gravelly intervals, to approximately 30 feet below ground surface (bgs). Dolomite bedrock is present beginning at approximately 30 feet bgs. Cobbles and boulders may be present in the transitional zone 1 to 3 feet above the dolomite bedrock. Sandstone bedrock was encountered at approximately 50 feet bgs, the maximum depth explored. The static water table is generally present beneath the site at between 10 and 25 feet bgs. The core of the known groundwater contaminant plume is located in the area of wells MW1, MW5, MW7, RW1, EW1, EW2, EW3, SVE3 and VMP1. Wells MW1, RW1, EW1, VMP1, SVE2 and SVE4 all have had free product occurrences in the past. Groundwater flow is generally toward the north on site.

2) Minimum Remedial Requirements:

One Year of Free Product Abatement, as Needed:

Conduct quarterly free product monitoring and recovery for one year, as needed. All site investigation wells, regardless of whether or not they will be analytically sampled, should be checked for the presence of free product during each sampling event. If free product is measured at a thickness greater than 0.1 foot, recovery can be accomplished by passive actions such as hand bailing, pumping or placement of absorbent socks. Measure water levels and free product thickness (using a product/water interface probe) in all wells where free product is present, prior to and immediately following recovery efforts. Bidders must include on page two of their bid response, a per gallon unit cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less than is estimated is actually removed and disposed.

Continued groundwater monitoring:

Conduct eight consecutive quarters of groundwater monitoring. Groundwater samples must be collected during each quarterly round from the following monitoring wells: MW1, MW4, MW5, MW7 and PZ6. If any of these wells has laboratory results that are less than NR 140 Enforcement Standards for four consecutive quarterly rounds, the sampling frequency for that monitoring well may be reduced to semi-annually. If contaminant trends show a decreasing trend across the site prior to the completion of eight quarterly rounds, the successful bidder shall contact the DNR and Commerce to determine if a closure report and Soil and Groundwater GIS Registry Document should be completed earlier.

Groundwater samples shall be collected semi-annually from wells P1, MW2, MW3, EW2, EW3, RW1, SVE3, SVE4, SVE5 and VMP1.

Groundwater samples from each well sampled must be analyzed for PVOCs during each round.

Water table elevations, depth to product (if present) and product thicknesses, must be recorded from all wells during each monitoring event.

Reporting:

Prepare a table of the analytical results after each sampling round. Submit a summary report to the DNR and Commerce after the completing the first year activities.

Prepare a closure request, including all applicable forms, and a Soil and Groundwater GIS Registry packet after the completion of the activities outlined above if a closure request is appropriate.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there maybe additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is receive will not be reimbursed to the claimant. Claim preparation costs must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located

within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.

- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Midas Muffler Shop
COMMERCE #: 53094-7617-09
BRRTS #: 03-28-000593

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Midas Muffler Shop
COMMERCE #: 53094-7617-09
BRRTS #: 03-28-000593

Consulting Firm Name: _____

A bid will be considered to be non-compliant if the bid response does not include separate tabulation of cost for each activity.

1	Free Product Removal (per gallon)	
	Estimated gallons removed	
	Total One Year Removal Cost Estimate <i>Consultant and Commodity Costs</i>	\$
2	Groundwater Monitoring First Year Including Free Product Measurements	\$
3	Groundwater Monitoring Second Year Including Free Product Measurements	\$
4	Closure Request	\$
5	GIS Registry Packet	\$
6	Disposal of all investigative waste generated during SOW	\$
7	PECFA Claim Preparation	\$
8	Total Bid Amount	\$